

Message Text

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11

ACTION EA-09

INFO OCT-01 ISO-00 PM-04 INR-07 /021 W

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R 041016Z NOV 75

FM AMEMBASSY BANGKOK

TO 17 AD BANGKOK THAI//JA//

17 AD UDORN RTAFB THAI//JA//

INFO SECSTATE WASHDC 3716

CSAF WASHDC//JACI//

CINCPAC HONOLULU HI

CINCPACAF HICKAM AFB HI//JAI//

13AF CLARK AB PI//JA//

COMUSMACTHAI BANGKOK THAI//JA//

AMCONSUL UDORN

C O N F I D E N T I A L BANGKOK 23147

E.O. 11652: GDS

TAGS: MARR, TH

SUBJ: FCJ CASE - SGT MICHAEL L. DICHAZI, JR.

REF: 17 AD JA MESSAGE, DTG 010420Z NOV 75 (NOTAL)

1. AT APPROXIMATELY 0100, 4 OCTOBER, SGT.

MICHAEL L. DICHAZI, A USAF SECURITY POLICEMAN, WHILE OPERATING A JEEP AND INSPECTING THE PERIMETER FENCE AT UDORN RTAFB FOR CUTS, RAN OVER KHAYAN CHANMETHI, AN RTA GUARD WHO HAD APPARENTLY BEEN ASLEEP WITH THE UPPER PART OF HIS BODY ON THE ROADWAY. KHAYAN SUFFERED A FRACTURED SKULL AND HAS BEEN HOSPITALIZED SINCE THEN. HIS PRESENT CONDITION IS STABLE; HOWEVER, HE IS CONFUSED AND DISORIENTED AT TIMES. ON 30 OCTOBER 1975, A USAF FOREIGN CLAIMS COMMISSION PAID KHAYAN'S 50,000 BAHT CLAIM IN FULL (APPROXIMATELY \$2447.98) THROUGH HIS FATHER. THE FATHER HAD PREVIOUSLY COMPLAINED TO THE UDORN POLICE ABOUT THE ACCIDENT. THE POLICE HAVE INVESTIGATED IT, SUPERVISED THE PAYMENT OF THE CLAIM, AND NOW INTEND TO FORWARD THE INVESTIGATION TO THE LOCAL PROSECUTOR ON 12 NOV-
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EMBER WITH A RECOMMENDATION THAT SGT. DICHAZI BE

TRIED FOR NEGLIGENT OPERATION OF A VEHICLE CAUSING
SERIOUS INJURY.

2. EMBASSY REP MET WITH SPEC. COLONEL PRASAN DULY-
ADHAMMABIRAMYA OF SUPREME COMMAND FORWARD NOVEMBER
3 REGARDING SUBJECT CASE. THE OFFICIAL DUTY ASPECTS
OF THE CASE WERE DISCUSSED AT LENGTH WITH SPECIAL
EMPHASIS UPON U.S. POSITION REGARDING PRIMARY RIGHT
OF JURISDICTION. SP. COL. PRASAN INDICATED THAT
THE THAI MILITARY COULD NO LONGER DIRECTLY INFLUENCE
POLICE ACTION IN SUCH CASES. HE SUGGESTED THAT THE MATTER BE
REFERRED TO POLICE MAJOR GENERAL SANEH SITTHIPHAN TO
DETERMINE WHAT IF ANYTHING COULD BE DONE THROUGH POLICE
CHANNELS.

2. EMBASSY REP ACCOMPANIED BY SP. COL. PRASAN DIS-
CUSSED THE CASE WITH GEN. SANEH, ALSO NOVEMBER 3.
GEN. SANEH INDICATED THAT UPON RECEIPT OF A WRITTEN
REQUEST FROM THE EMBASSY WHICH WOULD INCLUDE A DETAILED
FACTUAL REPORT OF THE INCIDENT, A COPY OF DICHAZI'S
STATEMENT, A COPY OF THE CLAIMS SETTLEMENT AGREEMENT,
AND AN AFFIRMATION THAT IN THE EVENT THE VICTIM'S
CONDITION WORSENS OR HIS INJURIES ARE PERMANENT
THE U.S.G. WOULD RECONSIDER THE CLAIM, HE WILL CONTACT
THE DIRECTOR OF PROVINCIAL POLICE AND RECOMMEND THAT THE
CHARGES BE DROPPED. WHILE NOT PROMISING THAT THIS
WOULD BE ACCOMPLISHED, GENERAL SANEH STATED THAT THE
MOST IMPORTANT FACTOR IN A VEHICLE ACCIDENT CASE IS
INSURING THAT THE VICTIM IS ADEQUATELY COMPENSATED
AS OPPOSED TO THE CONVICTION OF THE DRIVER OF A CRIME.
ACTION IS NOW BEING TAKEN TO PREPARE THE REQUEST-
ED DOCUMENTATION FOR SUBMISSION TO GENERAL SANEH.

3. IN VIEW OF THE FOREGOING DEVELOPMENTS, IT IS
PREMATURE TO CONSIDER THE REMOVAL OF SGT.
DICHAZI FROM THAILAND. A DECISION IN THAT RESPECT
SHOULD NOT BE MADE UNTIL ALL OTHER AVENUES TO AVOID
PROSECUTION HAVE BEEN EXHAUSTED, AND THEN ONLY WITH
THE EMBASSY'S CONCURRENCE.

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